

REFERENCE TITLE: SETIF; transportation; Arizona and Mexico

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2507

Introduced by
Representatives Jones, Aguirre A: Biggs, Bradley, Burns J, Chase,
Konopnicki, McComish, Senator Arzberger

AN ACT

AMENDING SECTIONS 28-6547 AND 41-1292.03, ARIZONA REVISED STATUTES; RELATING TO TRANSPORTATION BETWEEN ARIZONA AND SONORA, MEXICO.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-6547, Arizona Revised Statutes, is amended to
3 read:

4 28-6547. Safety enforcement and transportation infrastructure
5 fund: exemption from lapsing

6 A. The safety enforcement and transportation infrastructure fund is
7 established. The fund consists of monies deposited pursuant to sections
8 28-2321, 28-2324, 28-2325, 28-5739, 28-5863 and 28-5864. The department
9 shall administer the fund.

10 B. Subject to legislative appropriation, monies in the fund shall be
11 spent on the following:

12 ~~1. Enforcement of vehicle safety requirements by the department of~~
13 ~~public safety and the department of transportation within twenty-five miles~~
14 ~~of the border between Arizona and Mexico.~~

15 1. COSTS RELATED TO THE PROCUREMENT OF ELECTRONIC EQUIPMENT, AUTOMATED
16 SYSTEMS OR IMPROVEMENTS TO EXISTING ELECTRONIC EQUIPMENT OR AUTOMATED SYSTEMS
17 FOR RELIEVING CONGESTION AT PORTS OF ENTRY ON THE BORDER BETWEEN THIS STATE
18 AND MEXICO.

19 2. Construction ~~and maintenance of transportation facilities~~ and
20 upgrades of transportation facilities, including roads, streets and highways,
21 approved by the board within twenty-five miles of the border between Arizona
22 and Mexico.

23 3. As approved by the board, ~~maintenance and~~ construction of
24 transportation facilities in the CANAMEX high priority corridor as defined in
25 section 332 of the national highway system designation act of 1995
26 (P.L. 104-59; 109 Stat. 596-597).

27 4. Activities of the department that include the collection of
28 transportation and trade data in the United States and Mexico for the
29 purposes of constructing transportation facilities, improving public safety,
30 improving truck processing time and relieving congestion at ports of entry on
31 the border between Arizona and Mexico. The department may enter into an
32 agreement with the Arizona-Mexico commission and provide funding to the
33 commission for the purposes contained in this paragraph.

34 5. A COMMITMENT OR INVESTMENT NECESSARY FOR THE DEPARTMENT OR ANOTHER
35 AGENCY OF THIS STATE TO OBTAIN FEDERAL MONIES.

36 C. If the department determines that activities proposed by the
37 Arizona office of homeland security may improve traffic safety in this state,
38 the department may enter into an agreement with, and provide, subject to
39 legislative appropriation, fund monies to, the Arizona office of homeland
40 security for the purposes contained in this subsection.

41 D. If the department determines that activities proposed by the
42 Arizona international development authority for planning, development and
43 construction of transportation facilities on the border between Arizona and
44 Mexico may improve traffic safety in this state, the department may enter
45 into an agreement with, and provide, subject to legislative appropriation,

1 fund monies to, the Arizona international development authority for the
2 purposes contained in this subsection.

3 E. On notice from the department, the state treasurer shall invest and
4 divest monies in the fund as provided by section 35-313, and monies earned
5 from investment shall be credited to the fund.

6 F. Monies in the fund are exempt from the provisions of section 35-190
7 relating to lapsing of appropriations.

8 Sec. 2. Section 41-1292.03, Arizona Revised Statutes, is amended to
9 read:

10 41-1292.03. Joint legislative review committee on
11 transportation between Sonora, Mexico and Arizona

12 A. The joint legislative review committee on transportation between
13 Sonora, Mexico and Arizona is established. The committee consists of:

14 1. Two members of the senate who are appointed by the president of the
15 senate, one from each political party.

16 2. Two members of the house of representatives who are appointed by
17 the speaker of the house of representatives, one from each political party.

18 3. The chairperson of the committee in the house of representatives
19 that considers transportation issues who serves as cochairperson.

20 4. The chairperson of the committee in the senate that considers
21 transportation issues who serves as cochairperson.

22 5. THE CHAIRPERSON OF THE COMMITTEE IN THE HOUSE OF REPRESENTATIVES
23 THAT CONSIDERS COMMERCE ISSUES.

24 6. THE CHAIRPERSON OF THE COMMITTEE IN THE SENATE THAT CONSIDERS
25 COMMERCE ISSUES.

26 5. 7. The director of the department of commerce or the director's
27 designee WHO HAS EXPERTISE IN COMMERCE ISSUES SPECIFIC TO THIS STATE'S BORDER
28 WITH MEXICO.

29 6. 8. The director of the department of public safety or the
30 director's designee WHO HAS EXPERTISE IN PUBLIC SAFETY ISSUES SPECIFIC TO
31 THIS STATE'S BORDER WITH MEXICO.

32 7. 9. ~~One member who represents~~ THE DIRECTOR OF the department of
33 transportation, OR THE DIRECTOR'S DESIGNEE who has expertise in
34 transportation ~~and who is appointed by the director of the department of~~
35 ~~transportation~~ ISSUES SPECIFIC TO THIS STATE'S BORDER WITH MEXICO.

36 8. 10. ~~One member who represents~~ THE ASSISTANT DIRECTOR FOR the motor
37 vehicle division of the department of transportation OR THE ASSISTANT
38 DIRECTOR'S DESIGNEE who has expertise in transportation ~~and who is appointed~~
39 ~~by the assistant director of the motor vehicle division of the department of~~
40 ~~transportation~~ ISSUES SPECIFIC TO THIS STATE'S BORDER WITH MEXICO.

41 9. 11. Three members of the public, one of whom has expertise in
42 transportation ISSUES SPECIFIC TO THIS STATE'S BORDER WITH MEXICO, who are
43 appointed by the governor.

1 ~~10.~~ 12. One member who represents a federally recognized Arizona
2 Indian tribe with a reservation located within or adjacent to the CANAMEX
3 high priority corridor as defined in section 332 of the national highway
4 system designation act of 1995 (P.L. 104-59; 109 Stat. 596-597), who has
5 expertise in transportation and who is appointed by the governor.

6 ~~11.~~ 13. One member who represents the Arizona office of homeland
7 security.

8 B. The committee shall:

9 ~~1. Coordinate efforts of the committee as reasonably practicable with
10 a like committee established by Sonora, Mexico.~~

11 ~~2. 1.~~ Study issues and problems concerning transportation, **COMMERCE**,
12 **PUBLIC SAFETY AND COMMUNICATIONS** between Sonora, Mexico and this state,
13 including the following:

14 (a) The need to ~~modify and improve border crossing procedures and~~ **CONSTRUCT AND UPGRADE TRANSPORTATION** facilities **RELATED TO THE BORDER**.

15 ~~(b) The advantages and disadvantages of issuing temporary travel
16 permits to Mexican commercial vehicles entering this state.~~

17 (b) **IMPLEMENTATION OF ELECTRONIC EQUIPMENT AND AUTOMATED TECHNOLOGIES
TO IMPROVE THE PROCESSING TIME AND SAFETY OF VEHICLES CROSSING THE BORDER.**

18 (c) The commercial impact of a deep sea port in Guaymas, Mexico.

19 ~~(d) The potential impact of transporting hazardous materials between
20 Sonora, Mexico and this state.~~

21 (d) **PROCUREMENT OF FEDERAL MONIES FOR BORDER INFRASTRUCTURE PROJECTS.**

22 (e) The **EFFECT OF** current and any anticipated changes in the type and
23 volume of traffic on highways that carry commercial vehicles to the border
24 between Sonora, Mexico and this state.

25 (f) Environmental ~~and safety~~ problems caused by the type and
26 volume of traffic on highways that carry commercial vehicles to the border
27 between Sonora, Mexico and this state.

28 (g) Potential financing of any highway construction or planning, or
29 both, that may be recommended by the committee.

30 (h) The impact of foreign commercial vehicles on the ~~transportation
31 infrastructure~~ **HOMELAND SECURITY** of this state.

32 (i) The balance between revenues collected at ports of entry on the
33 border between Sonora, Mexico and this state and the costs associated with
34 maintaining the transportation infrastructure within twenty-five miles of the
35 border between Sonora, Mexico and this state **COMPARED TO THE REVENUE
36 GENERATED IN THIS STATE RESULTING FROM TRADE WITH SONORA, MEXICO.**

37 ~~3.~~ 2. Annually make recommendations to the legislature regarding
38 appropriations made pursuant to section 28-6547.

39 ~~4.~~ 3. Make recommendations to the legislature ~~that will help
40 alleviate the current~~ **RELATING TO COMMERCE, COMMUNICATIONS, environmental,
41 transportation infrastructure, TECHNOLOGY REQUIREMENTS, HOMELAND SECURITY** and
42 safety problems caused by the type and volume of traffic on highways that
43 carry ~~commercial~~ vehicles to the border between Sonora, Mexico and this state

1 and transportation AND COMMERCE problems experienced by businesses located on
2 both sides of the border between Sonora, Mexico and this state, ~~that will~~
3 ~~improve FOR THE PURPOSE OF IMPROVING~~ road, air and rail transportation
4 between Sonora, Mexico and this state ~~and regarding highway construction and~~
5 ~~planning of highways that carry commercial vehicles to the border between~~
6 ~~Sonora, Mexico and this state.~~

7 5. 4. Submit a report with its recommendations on or before December
8 1 of each year to the president of the senate, the speaker of the house of
9 representatives, the governor, the chairman of the state transportation
10 board, ~~and the committee established by Sonora, Mexico~~ SECRETARY OF STATE AND
11 THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

12 C. The members of the committee who are appointed pursuant to
13 subsection A, paragraphs 9—11 and 10 12 serve two year terms.

14 D. The members of the committee are not eligible to receive
15 compensation, but the members who are appointed pursuant to subsection A,
16 paragraphs 9—11 and 10 12 are eligible to receive reimbursement for expenses
17 pursuant to title 38, chapter 4, article 2.

18 E. ~~An Arizona-Mexico commission in the governor's office shall~~
19 ~~facilitate the meetings of the committee.~~ The committee shall use the
20 services of the Arizona-Mexico commission, ~~— AND legislative staff and the~~
21 ~~staff of the department of transportation.~~